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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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ANNE ANDERSON, et al.

vs

CRYOVAC, Division of W. R. Grace & Co.;  
W. R. GRACE & CO.; JOHN J. RILEY COMPANY,  
Division of Beatrice Foods Co.; BEATRICE  
FOODS CO.

\* Civil Action  
\* No. 82-1672-S

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Deposition of GIUSEPPE MEOLA, taken  
on behalf of the Plaintiffs, pursuant to the applicable  
provisions of the Federal Rules of Civil Procedure,  
before Valerie T. Wong, Notary Public within and for  
the Commonwealth of Massachusetts, at the offices of  
Schlichtmann, Conway & Crowley, 171 Milk Street, Boston,  
Massachusetts, commencing at 10:10 o'clock A.M. on  
Wednesday, October 16, 1985.

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## Appearances:

Jan Richard Schlichtmann, Esq.  
Schlichtmann, Conway & Crowley  
171 Milk Street  
Boston, Massachusetts  
for the Plaintiffs.

William J. Cheeseman, Esq.  
Andrew Z. Schwartz, Esq.  
Foley, Hoag & Eliot  
One Post Office Square  
Boston, Massachusetts  
for the Defendant W. R. Grace & Co.

Susan G. Winkler, Esq.  
Hale & Dorr  
60 State Street  
Boston, Massachusetts  
for the Defendant Beatrice Foods Co.

## Present:

Ughetta Fitzgerald Lubin,  
translator/interpreter

Laura Russo

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I N D E X

<u>Deposition of:</u>	<u>Direct</u>	<u>Cross</u>
Giuseppe Meola	6	76

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(Ughetta Fitzgerald Lubin,  
sworn, translator/  
interpreter)

MR. CHEESEMAN: The parties have agreed that Mr. Meola may have Mr. Schlichtmann's questions interpreted by an interpreter into the Italian language, which is his native tongue, because he is not completely fluent in English. Mr. Meola's answers may be given in Italian and the interpreter will translate them into English for the stenographer to record.

We have also agreed that Mr. Meola's granddaughter, Laura Russo, who is here with him, may speak with the interpreter if she has any question about the accuracy of the translation of the questions or answers. But in all cases, the interpreter's translation is the one which will govern.

(Discussion off the record)

MR. CHEESEMAN: As has been the case with all depositions of former employees of the company, and employees of the company for that matter, my firm is representing the Cryovac Division of W. R. Grace & Company, not the witness.

1  
2 MR. SCHLICHTMANN: Okay. The normal  
3 stipulations?

4 MR. CHEESEMAN: The same as we have  
5 had all along.

6 MR. SCHWARTZ: Perhaps for the sake  
7 of clarity, Jan, we can put them on the record if  
8 you would like.

9 MR. SCHLICHTMANN: No one says it  
10 better than you.

11 MR. SCHWARTZ: As I understand it, all  
12 objections, except as to form, are reserved to the  
13 time of trial.

14 MR. SCHLICHTMANN: Yup.

15 MR. SCHWARTZ: And motions to strike  
16 are also reserved. Is that accurate?

17 MR. SCHLICHTMANN: Yes.

18 MR. SCHWARTZ: I want to note  
19 parenthetically --

20 MR. SCHLICHTMANN: I have done some-  
21 thing wrong?

22 MR. SCHWARTZ: No.

23 -- in the transcript of the O'Toole  
24 deposition there is some confusion on that point.  
25 It was not Valerie's fault we were speaking at

1  
2 the same time and created some confusion, but I  
3 believe that the same stipulations I just recited  
4 were in effect throughout that deposition. We  
5 might as well have that on the deposition.

6 MR. CHEESEMAN: The witness may sign  
7 under the pains and penalties of perjury.

8 MR. SCHLICHTMANN: Of course.

9 MR. CHEESEMAN: And filing is waived.

10 MR. SCHLICHTMANN: Of course.

11  
12 GIUSEPPE MEOLA,

13 a witness called by the Plaintiffs, first having  
14 been duly sworn, on oath deposes and says as  
15 follows:

16 Direct Examination

17  
18 Q (By Mr. Schlichtmann) Would you state your name  
19 for the record?

20 A (By the interpreter) Meola, Giuseppe Meola.

21 Q Where do you live?

22 A Malden, Medford Street, 427.

23 Q How long have you lived there?

24 A Ten years.

25 Q And prior to that where did you live?

1

2 A In Somerville.

3 Q What was the address there?

4 A In Somerville?

5 Q Yes.

6 A Linden Street.

7 Q How long did you live there?

8 A Ten years.

9 MS. RUSSO: Can I help out on that?

10 MR. SCHLICHTMANN: I don't have any  
11 problem with that.

12 (Pause)

13 THE INTERPRETER: One year more or one  
14 year less does not matter, about five years.

15 (Pause)

16 THE INTERPRETER: About 15 years.

17 Q At some point did you work for the W. R. Grace  
18 Company in Woburn?

19 A Yes.

20 Q What were the years you worked for W. R. Grace  
21 Company in Woburn?

22 A It is '60.

23 Q 1960?

24 A Yes.

25 Q Until what year?

1

2 A '78, '79.

3 Q Prior to that time did you work for any other  
4 W. R. Grace Company, prior to 1960?

5 A Yes.

6 Q Which company?

7 A Catana Spagna, C-A-T-A-N-A, S-P-A-G-N-A.

8 MR. CHEESEMAN: Off the record.

9 (Discussion off the record)

10 THE INTERPRETER: They made oil,  
11 groceries, you know.

12 Q Oil?

13 A Oil.

14 Q Oil?

15 A Olive oil.

16 Q Olive oil?

17 A To eat.

18 Q We're talking about oil you don't eat.

19 Let me see if I understand you. Prior  
20 to 1960 he worked for a company, another W. R.  
21 Grace Company?

22 A I always worked with Cryovac.

23 Q He worked for another plant other than the Woburn  
24 plant in -- prior to 1960?

25 A In Cambridge.



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Q What was the name of the company in Cambridge?

A Cryovac.

Q It was always called Cryovac?

A Yes.

Then they took the building in Woburn  
and moved to Woburn.

Q How long did he work for the plant in Cambridge?

A I don't know; one year, a year.

Q About a year.

And prior to that year at that plant  
in Cambridge did he work for any other plant for  
W. R. Grace?

A No.

MR. CHEESEMAN: Off the record.

(Discussion off the record)

Q Prior to working for the W. R. Grace plant in  
Cambridge who did you work for?

A Catana Spagna.

Q That is not, to your knowledge, associated with  
the W. R. Grace Company in any way?

A No.

Q How long did you work for Catana Spagna?

A I arrived here in '55; for five years.

Q What was the type of work you did for Catana

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Spagna?

A I packed oil.

Q What was the work you did for the W. R. Grace  
plant in Cambridge?

A I claened.

Q Maintenance work?

A Yeah.

Q Who did you work for in the W. R. Grace plant in  
Cambridge?

A Cryovac.

Q Who was the person who supervised you?

A Vinnie Forte, Vin Forte. There was another  
supervisor; I can't remember his name.

Q You do remember Vin Forte?

A Yes.

Q In working for that Cambridge plant, the W. R.  
Grace plant in Cambridge, did you at any time  
dispose of any waste products for the plant?

A No.

Q Did you at any time while working for the  
Cambridge plant, did you at any time dispose of  
chemical waste or waste products on the ground  
at the plant?

A No.

Q Did he handle any chemical waste products at all at the Cambridge plant?

A I cleaned -- I just cleaned with a broom. I cleaned the tables off in the office, you know.

Q At no time did he ever handle any waste products from the manufacturing or industrial operations at the Cambridge plant?

A No, no.

Q Do you remember that you went to the Woburn plant as soon as it opened in '60?

A Yes.

Q Who was your supervisor when you began to work at the W. R. Grace plant in Woburn?

A Vinnie Forte.

Q Did Vin Forte remain your supervisor throughout the time you worked at the Grace plant in Woburn?

A Yes.

Q You understood you were working directly under Mr. Forte; is that correct?

MR. CHEESEMAN: I object to the word "directly."

A He was a big shot as we say, but then there was a supervisor for the machine shop --

MS. RUSSO: Sheet metal.

THE INTERPRETER -- sheet metal --

MS. RUSSO: Assembly.

THE INTERPRETER: -- and assembly  
area.

Q Okay.

A But then there was a boss called Paul Shalline.

Q Who was the person responsible for telling you  
how to perform your job?

MR. CHEESEMAN: When?

Q When you first went to work for the Woburn plant,  
the Grace plant in Woburn.

A Paul Shalline.

Q At any time did Vin Forte ever have occasion to  
tell you what jobs to do?

A No.

Q Other than Paul Shalline, who is responsible at --  
Strike that.

Was there any other person other than  
Paul Shalline, anyone responsible for telling him  
what to do at any time that he worked for the  
Grace plant in Woburn?

A No.

Q Did Paul Shalline, was he responsible for telling  
you what to do throughout the time you worked for

the W. R. Grace plant in Woburn?

A No.

Q Who else was responsible other than Paul Shalline?

A Harry Orazine.

Q Is it Ed Orazine?

MR. CHEESEMAN: You will have to let her get the translation out before you ask the next question.

A He retired earlier. He does not work there anymore. I don't know.

Q Did I understand you correctly that Paul Shalline at various times told you what to do, and Ed Orazine at various times told you what to do?

A Paul Shalline went up in position. Harry was --

Q Ed?

A Eddie Orazine remained at the assembly.

Q After Paul Shalline was promoted to a higher level of authority, Ed Orazine was then responsible for telling you what to do?

A Yes.

Q Do you know when that was, approximately?

A I don't know; five or six -- I been away ten years.

THE WITNESS: I retire 19 --

THE INTERPRETER: I retired in 1978.

Q But how many years after you began to work for W. R. Grace in Woburn did Ed Orazine begin to tell you what to do?

A I can't remember.

Q What is your best memory, if you have one?

A I don't know; five or six years. Who can remember?

Q But you do remember that Paul Shalline told you what to do when you first began to work for W. R. Grace in Woburn, and did he do that for several years after you began to work for W. R. Grace in Woburn?

A Yes.

Q Is that right?

A Yes.

Q Is it also true that even after Mr. Shalline was promoted that from time to time during the time you worked for W. R. Grace in Woburn that Mr. Shalline would also tell you what to do?

A Who can remember? Much time has gone by.

Q Is that possible?

MR. CHEESEMAN: Objection.

A I can't remember. I can't remember well.

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Q What were your responsibilities when you first began to work for W. R. Grace in Woburn?

3

4

A I cleaned the offices and I cleaned the shop.

5

Q What did you do in cleaning the shop?

6

A With the broom.

7

Q Other than cleaning with a broom, did you do anything else regarding cleaning up the shop?

8

9

A No.

10

Q Now, during the time you worked for the W. R. Grace plant in Woburn, did your job ever change from what you just described?

11

12

13

A Yes.

14

Q When did it change?

15

A I can't remember.

16

Q How did it change?

17

A It changed in the sense that I did maintenance.

18

Q What did that entail?

19

A But I always worked in the assembly, the assembly area.

20

21

Q When your job changed to maintenance work, that is when you started to work in the assembly area?

22

23

A Yes.

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Q Yes?

25

A I was always around.

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Q What do you mean by that?

A In the sense that if we needed to change a light bulb, Ed Orazine would come and say "Joe, change the light bulb."

Q Try to be as specific as you can as to what your job included when you were doing maintenance work.

A I oiled the machines when there wasn't work being done in the assembly. When there wasn't work in the assembly area I worked the machine shop, lubricated, cleaned them up.

Q How did you clean them up?

A With rags.

Q Did you use any chemicals to clean the machines?

A No.

Q How long were you doing maintenance work?

A I can't remember whether I did it 10 years. I don't know. I always worked in assembly. When there wasn't work at assembly, I worked in other areas. When there was work in assembly Ed Orazine said, "Come over here and forget about the other sections."

Q When he said he would tell you to come over here, would he have you do something?



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A Yes.

Q What?

A I did the conveyor belts, the belts.

Q How did he do the conveyor belts?

A There were some buttons along -- There were some tracks along the conveyor belts with buttons on them.

Q What would he do with those buttons?

A You have to check them to see -- so they won't come out because there was a track and these buttons were along and you had to check that they didn't come out.

Q Did his job change from doing maintenance work at any time or did it remain doing maintenance work until he left the plant?

A Always there. It is assembly and all around.

Q Now, Mr. Meola, are you aware there was a degreasing tank at the W. R. Grace plant in Woburn?

THE WITNESS: Yes.

Q Do you know what --

MS. RUSSO: Wait.

(Pause)

A No, I don't know this.

MR. CHEESEMAN: Off the record.

(Discussion off the record)

THE INTERPRETER: The degreasing tank was a small tank. It was not even 20 gallons, 15 gallons.

Q What was it used for?

A They threw pieces into it to wash them.

Q Was there some chemical inside the tank?

A It wasn't chemical; it was kind of turpentine.

It didn't smell and it was not thick because I touched it with my hands.

Q With your bare hands?

A Yes; with my bare hands.

Q Did it do anything to your hands?

A No.

Q The tank did have some liquid in it?

A Yes.

Q Do you know where the liquid came from?

A There was a barrel.

Q Would that be a drum?

THE WITNESS: A drum.

Q Would that be a 55-gallon drum?

A 50.

Q Where would this drum be at the plant?

1  
2 A It was in the corner over where they keep oil and  
3 this kind of stuff.

4 Q Do you know where it was located in the plant  
5 exactly?

6 A It was in the place and when we had to fill it  
7 there was a kind of little cart that we would  
8 take.

9 Q When you say there was a cart, do you mean the  
10 cart would be taken over to the 55-gallon drum  
11 and the drum would be taken over to the tank  
12 where the contents of the drum would then be put  
13 in the tank and the drum would be put back?

14 A Yes. I took it back.

15 MR. CHEESEMAN: Jan, I don't believe  
16 the witness understood the fine distinction  
17 you're drawing of carrying the drum over or  
18 putting some of the contents into the cart. If  
19 you would clarify the question.

20 MR. SCHLICHTMANN: Let me ask the  
21 question again because it is very, very  
22 important.

23 Q Do you mean that there was a cart that you  
24 brought over to the 55-gallon drum, put the drum  
25 on the cart and took the drum with the cart over

1  
2 to the tank, and then poured the contents of the  
3 drum or part of the contents of the drum into  
4 the tank, putting the drum back on the cart and  
5 moving it back to where you originally found the  
6 drum?

7 MR. CHEESEMAN: Objection to the form  
8 as being too complex.

9 A Yes.

10 Q So that was an accurate description of how he  
11 would fill the tank; is that right?

12 MR. CHEESEMAN: Objection.

13 A There was this faucet.

14 MR. CHEESEMAN: Now you have the  
15 right answer.

16 THE INTERPRETER: You got a 5-gallon  
17 thing and you filled it, threw that in.

18 Q There was a 5-gallon container in which you got  
19 some of the contents of the 55-gallon drum out of  
20 to put in the degreasing tank?

21 MR. CHEESEMAN: I object to the  
22 question. Go ahead.

23 A There was a faucet. You put the 5-gallon thing  
24 under the faucet and -- There was -- It held 15  
25 gallons, so you filled it three times and you

1  
2 throw that in to fill it.

3 Q Did you have to move the 55-gallon drum or did  
4 you just --

5 MR. CHEESEMAN: Stop right there.  
6 Did you have to move the 55-gallon drum; that is  
7 all.

8 MR. SCHLICHTMANN: You won't object  
9 to it?

10 MR. CHEESEMAN: No.

11 MR. SCHLICHTMANN: All right.

12 A Yes.

13 Q You put the 55-gallon drum on the cart?

14 A It was already on the cart.

15 Q So the 55-gallon drum was always on the cart?

16 A Always on the cart.

17 Q The cart and the drum would be taken over to the  
18 tank; is that right?

19 A I could have taken a washing machine over there.

20 Q A washing machine over there?

21 A Because it had wheels. It was small. It was  
22 not a large thing.

23 Q Mr. Meola, it is very important we understand  
24 the difference here. I think there is some  
25 confusion. Let me ask the questions and see if

1  
2 you can help us out.

3 The 55-gallon drum on the cart was  
4 located in one part of the plant; is that right?

5 A Yes.

6 Q And the degreasing tank was then on wheels as  
7 well?

8 A Yes.

9 Q Could the degreasing tank be moved?

10 A Yes.

11 Q Now, to fill the degreasing tank, Mr. Meola,  
12 did you have to move the degreasing tank or did  
13 you -- Did you move the degreasing tank?

14 A Yes.

15 Q Where would you move the degreasing tank when  
16 you wanted to fill it?

17 A I either took it where the drum was or I brought  
18 the drum over to it. But it was easier to take  
19 the washer over there because it was smaller,  
20 because when the drum was half full it moved  
21 around and could get spilled.

22 Q So it was easier when the drum was filled for  
23 you to move the degreasing tank over to the drum  
24 than to move the drum over to the degreasing  
25 tank?

1  
2 A Yes. That was little and the other one moved,  
3 you know.

4 Q The degreasing tank moved?

5 A The drum.

6 MR. CHEESEMAN: Off the record for a  
7 second.

8 (Discussion off the record)

9 THE INTERPRETER: It is like some  
10 trailers when halfway around a bend they tip  
11 over.

12 Q Do I understand you, Mr. Meola, to say when the  
13 drum was filled you were afraid it would spill  
14 over?

15 A Yes.

16 Q Because it was heavy?

17 A And because it moved that way -(Indication).

18 Q On some occasions did it, in fact, spill some-  
19 times?

20 A No.

21 Q You were afraid of it spilling?

22 A Yes.

23 Q But you can't remember at any time spilling it?

24 A No.

25 Q Do you ever remember losing control of the

55-gallon drums?

A No.

Q Were you also afraid the liquid might spill out of the degreasing tank when it was filled?

A No. You never filled it that -- That was never full because it always moved this way (Indication). It had to clean the pieces.

Q How about the degreasing tank, do you remember the W. R. Grace plant had one?

A One.

Q Was it your job to fill the degreasing tank?

A No. I did it a couple of times. Twice I did it.

Q Did you see other people fill the degreasing tank?

THE WITNESS: I see no one.

MR. CHEESEMAN: What is the --

A I didn't see anybody. I didn't see anyone.

Q Do you know if anyone else was responsible for filling the degreasing tank?

A The entire shop.

Q At any time did you ever empty the degreasing tank?

A Yes.

Q Was it your job to empty the degreasing tank?



1  
2 A I did it a couple of times.

3 Q How did you empty the degreasing tank?

4 A I took it outside. There were drums. I filled  
5 it up and poured it inside the drums.

6 MR. SCHLICHTMANN: Off the record.

7 (Discussion off the record)

8 Q Because his testimony is very important today, we  
9 want to make sure there is no misunderstanding.  
10 We understand he may understand some English or  
11 he may understand English quite well. We want  
12 him to have the question translated for him into  
13 Italian and for him to make his answer in  
14 Italian so we will know there is no inaccuracies  
15 here.

16 MS. RUSSO: Some words will still be  
17 English, though.

18 MR. SCHLICHTMANN: Okay.

19 Q Now, you said you would take the degreasing tank  
20 out to the back; is that right?

21 MR. CHEESEMAN: I object. I believe  
22 he said to some drums.

23 Q Did you take it out back?

24 A Yes; behind the factory.

25 Q When you say "behind the factory," do you mean

1  
2 outside behind the factory?

3 A Yes.

4 Q Was there a special place you would take this  
5 degreasing tank outside behind the factory?

6 A No. Lhere were empty drums.

7 Q Were these empty drums outside in back of the  
8 factory?

9 A Yes; behind the plant.

10 Q Was there a particular place where these empty  
11 drums were outside behind the factory?

12 A No. There was a fence. They put them at the  
13 fence.

14 Q How many empty drums?

15 A I can't remember; about five or six. How can I  
16 remember?

17 Q Would it change from time to time, the number of  
18 drums?

19 A I did that job only a few times. I went out  
20 rarely.

21 Q What would you do with the contents of the  
22 degreasing tank?

23 A Inside the drum.

24 Q How would you put the contents, the liquid  
25 contents, of the drum, of the degreasing tank

1  
2 into the drum?

3 A The degreasing tank had a faucet and there was a  
4 funnel that we put it -- We put it through a  
5 funnel into the drum.

6 Q Did the funnel have a hose that went into the  
7 drum?

8 A No.

9 Q Well, would you be able to put the drum under-  
10 neath the faucet?

11 A No.

12 Q How many feet off the ground was the faucet?

13 A About that high (Indication).

14 MR. CHEESEMAN: Let the record show  
15 he was holding his hand three or four feet off  
16 the ground.

17 MR. SCHLICHTMANN: It looked like a  
18 foot.

19 THE INTERPRETER: There was a little  
20 piece of hose and I would open that to put it in  
21 a pail.

22 Q Let's make sure I understand you, Mr. Meola.  
23 When I asked you how high off the ground the  
24 faucet was you put your hand in the air. Were  
25 you doing that from the table to your hand or

1  
2 from the floor to your hand?

3 A The washer was on legs, you know. That kind of  
4 washer isn't there any longer.

5 MR. CHEESEMAM: Off the record.

6 (Discussion off the record)

7 Q Mr. Meola, if you could, so there is no confusion,  
8 would you tell us step by step what you did when  
9 you emptied the degreasing tank into the drum?

10 A I said it already.

11 Q I understand that. For the record, Mr. Meola,  
12 if you don't mind, just do it step by step in as  
13 much detail as you can so we understand exactly  
14 how you emptied the degreasing tank.

15 A There were those square pails of plastic that  
16 were underneath -- I put them underneath. I  
17 would open the faucet. When that was filled up,  
18 I brought to there. When that was full I would  
19 fill the other one up.

20 Q Then you would pour the contents of the plastic  
21 pail into the drum?

22 A In the drum.

23 Q When would you use the funnel?

24 A When I took the pail I needed the funnel because  
25 with the hole that was there it would have fallen

on the ground. It was a large funnel.

Q And the hole you're referring to is the hole in the drum; is that right?

A Yes.

Q The drum was enclosed and all it had was a little bung hole?

A Yes. There was a little -- another hole there for air, which we would then tighten.

Q Now, did you do this by yourself or did you have help?

A I did it by myself.

Q At any time did you ever take the degreasing tank out back and pour the contents of the degreasing tank on the ground?

A No.

Q Never?

A No.

Q Not once?

A No.

Q Was there any kind of sludge or any material that had collected on the bottom of the degreasing tank that had to be cleaned out from time to time?

A Very little stuff.

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Q How would you describe what was in there, what would collect in the tank?

A Like mud, you know.

Q Like mud?

A Like mud.

Q Did you at any time ever clean the degreasing tank of the mud?

A Yes.

Q How did you do that?

A With a piece of a scraper.

Q When would you do that?

A I did it a couple of times.

Q After the times you emptied the degreasing tank out back of the factory into the drums, did you then also clean the degreasing tank of the mud at the bottom of the degreasing tank?

A No. I did that inside.

Q On various occasions you cleaned the inside of the degreasing tank inside the building?

A It might have been one pound of that.

Q When you used to clean it, that was inside and not outside the plant?

A Inside.

Q That would be when the tank was empty; is that

1  
2 right?

3 A Yes.

4 Q What did you do with the mud when you cleaned it?  
5 Where did you put that mud?

6 A There were plastic containers.

7 Q How big were the containers?

8 A They were big ones and then the rubbish took  
9 them. I put it in the containers, but it wasn't  
10 my job.

11 Q Do you know what happened to those containers  
12 with the mud?

13 A There wasn't much of this mud; there was very  
14 little of it.

15 Q Do you know what happened to the mud?

16 A There was the cleaner, the janitor, he took it  
17 out and the rubbish took it away.

18 Q At any time did you, or did you see anyone,  
19 empty any of the mud on the ground in back of  
20 the factory?

21 A No.

22 Q Did you at any time ever empty any liquids down  
23 any of the drains inside the building?

24 A No.

25 Q Do you know if anyone in the plant at any time

1  
2 ever emptied any liquids down the drains inside  
3 the plant?

4 A I didn't see anyone.

5 Q I will show you an aerial photograph, which is a  
6 copy of Barbas Exhibit 4, and ask --

7 MR. CHEESEMAN: I understand that the  
8 objection stated in other depositions to having a  
9 layman examine an aerial photograph and to  
10 interpret it is an objection which you agree is  
11 reserved to the time of trial?

12 MR. SCHLICHTMANN: Absolutely.

13 MR. SCHWARTZ: And the record should  
14 also reflect we have objected on the ground that  
15 the use of the markings here without any  
16 foundation, based solely on your representation,  
17 is objectionable.

18 MR. SCHLICHTMANN: Okay.

19 Q This is Barbas Exhibit 4. Do you --

20 MR. SCHWARTZ: Is this a copy?

21 MR. SCHLICHTMANN: This is the copy,  
22 not the original.

23 MR. SCHWARTZ: Note my objection.

24 MR. SCHLICHTMANN: It is a beautiful  
25 copy, but a copy nonetheless.



1  
2 Q I am showing you an aerial photograph of the  
3 W. R. Grace plant as it appeared prior to  
4 construction of any additions to the plant. I  
5 will also point out a building on the aerial  
6 photograph and ask you examine this building  
7 (Indication).

8 A I can't understand this.

9 Q If I told you this was the W. R. Grace plant  
10 prior to the additions, do you recognize that as  
11 essentially the way you remember the plant being  
12 prior to the building of any additions?

13 A Is this a photograph?

14 Q Yes.

15 Do you remember the building you  
16 worked in at the W. R. Grace plant in Woburn  
17 looking essentially like that and the property  
18 looking essentially like it is in the photograph  
19 prior to any additions?

20 A I can't find myself. I can't recognize it.

21 Q I am going to ask you to assume this is the  
22 building. Does that help you at all in  
23 remembering, in answering the question as to  
24 whether that picture appears as you remember  
25 the building appearing?

1  
2 A I really can't answer any -- I can't find myself  
3 here.

4 MS. RUSSO: He has never seen an  
5 aerial view before.

6 Q If I --

7 MR. CHEESEMAN: Everyone knows that.

8 (Discussion off the record)

9 Q Mr. Meola, if I told you this area is the way  
10 the property looked to the rear of the plant  
11 prior to the building of the additions, does  
12 that help you at all?

13 MR. CHEESEMAN: You're telling him  
14 what the answer is to the question.

15 A When I seen the photograph of the building, what  
16 does that matter to me?

17 Q Mr. Meola, Tom Barbas has testified at a prior  
18 deposition -- Are you aware Tom Barbas has  
19 previously testified in this case?

20 A The investigator told me.

21 Q You heard that from Mr. Ernie Panneton?

22 A I don't know the name.

23 Q Did you understand he was an investigator for  
24 me?

25 A I don't know. He distracted me. He made my

head big for five hours. He came at 7:00 o'clock in the morning to my house.

Q Did you understand Mr. Panneton was an investigator for the families in Woburn suing W. R. Grace?

A Yes.

Q Did Mr. Panneton tell you that Tom Barbas said that you would on occasion empty the degreasing tank to the rear of the plant in back of the building?

MR. CHEESEMAN: Would you read that back?

THE REPORTER: Question: Did Mr. Panneton tell you that Tom Barbas said that you would on occasion empty the degreasing tank to the rear of the plant in back of the building?

A Yes. He gave me something to read. But it is a lie.

Q What did he give you to read?

A It say Tom Barbas -- I don't know.

Q Was it a document where there were questions and answers?

A No. It was five or six pages.

1  
2 Q Well, did you at any time ever empty the  
3 degreasing tank on the ground on any part of the  
4 W. R. Grace plant in Woburn at any time?

5 A No. The two times I did it I always did it into  
6 the drums.

7 Q Did you ever empty the drums onto the ground?

8 A No.

9 Q If Mr. Tom Barbas testified that, in fact, you  
10 on occasion would empty the degreasing tank on  
11 the ground to the rear of the plant would  
12 Mr. Barbas not be telling the truth?

13 MR. CHEESEMAN: Objection.

14 A He is a liar.

15 Q Are you aware that at various times during the  
16 time you worked at the W. R. Grace plant in  
17 Woburn that from time to time employees of the  
18 W. R. Grace plant would empty waste products on  
19 the ground to the rear of the plant?

20 A I didn't -- I couldn't -- I didn't have time to  
21 stay outside looking at people. I never saw.

22 Q You never saw it?

23 A I never saw anyone.

24 Q Did you ever have any indication from whatever  
25 source this was taking place?

1  
2 A No. I never spoke with anyone.

3 Q Did anyone ever tell you anything that indicated  
4 they dumped, that employees dumped waste  
5 products on the ground to the rear of the plant?

6 A I wasn't the boss that they should come and tell  
7 me.

8 Q Did you ever hear anyone say anything?

9 A I never heard anything.

10 Q Did anyone ever indicate that that took place?

11 A I have been away from there for ten years or  
12 more. I don't know what happened later and I  
13 don't know what happened before.

14 Q I want to know what happened during the time you  
15 worked at the plant.

16 A That is what happened. I didn't see anything and  
17 I -- I didn't see anyone and I don't know  
18 anything.

19 Q Are you aware the plant used solvents?

20 A To do what?

21 Q Do you know they used solvents to clean metal  
22 parts?

23 A That was the degrease.

24 Q The degreasing liquid? Do you know what the  
25 word "solvent" is? Does it mean anything to you?

1  
2 A Yes.

3 Q What does it mean to you?

4 A It is a liquid to clean.

5 Q It is a liquid to clean metal parts?

6 A To clean brushes, like turpentine, for spray  
7 guns.

8 Q When I use the word "solvents," I mean it to  
9 apply to liquids that the W. R. Grace plant in  
10 Woburn used to thin paints, to clean brushes or  
11 to clean metal parts.

12 MR. CHEESEMAN: Note my objection to  
13 the definition.

14 MR. SCHLICHTMANN: It is a wonderful  
15 definition.

16 Q Can we have that understanding?

17 A I understand it.

18 My head is already gone.

19 Q We don't want your head to go yet.

20 A I am 73 years old.

21 Q You look wonderful.

22 THE WITNESS: I look wonderful? I  
23 come out --

24 MS. RUSSO: He says --

25 A If I come out here another couple of times I will

1  
2 have to go to the cemetary where the cypresses  
3 are.

4 Q We don't want you to go yet.

5 A You may think so, but it is true.

6 Q Mr. Meola, at any time --

7 A The people who are working there should -- You  
8 should not be asking questions of a person who  
9 has been missing there for ten years and is an  
10 old man.

11 Q Mr. Meola, do you have any knowledge that at any  
12 time there was any pit or pits on the property  
13 at the Woburn plant?

14 A There was one. I don't know whether it was for  
15 water when it rained out because when it rained  
16 a lot of water poured from above. They didn't  
17 throw anything into it.

18 Q Do you remember there was a drainage ditch at the  
19 plant?

20 A Yes.

21 Q Yes?

22 A Yes.

23 Q At any time did you, or do you know of anyone  
24 else --

25 MR. CHEESEMAN: Take it one at a time,

1  
2 Jan.

3 MR. SCHLICHTMANN: I don't want him  
4 to go before I get my information.

5 Q Did you at any time ever pour or empty any kind  
6 of liquid, trash or any kind of waste material  
7 into the drainage ditch?

8 A No.

9 Q Do you have any information or have you learned  
10 from any source that at any time anyone  
11 connected with the W. R. Grace plant ever  
12 disposed of any liquid waste, waste material or  
13 trash in that drainage ditch?

14 A I didn't see one.

15 Q Do you know if there was ever a pit on the  
16 property in which waste material was ever  
17 dumped?

18 A No, no.

19 Q You know of none?

20 A I didn't see anyone throw anything.

21 Q Do you know if there were, other than the  
22 drainage ditch, do you know if there was ever  
23 any hole at any time or pit on the property?

24 A No.

25 Q Mr. Meola, do you not remember there was a hole



1  
2 approximately eight feet deep which was dug when  
3 the warehouse was constructed?

4 A I didn't see it.

5 Q Didn't you tell that to Mr. Panneton when he  
6 asked you if you knew anything about any pits or  
7 holes on the property?

8 A It is that hole that I mentioned, the one I said  
9 I don't know what it was for, whether it was for  
10 the water.

11 Q Could you describe the dimensions of this hole?

12 A I don't know.

13 Q As best you can.

14 A I can't remember.

15 Q Did you not see Tom Barbas use a two-wheeler to  
16 bring a drum up to that hole and dump the  
17 contents in that hole?

18 A I didn't see anyone because I couldn't spend my  
19 time outside.

20 Q Didn't you tell that to Mr. Panneton, that you  
21 saw Tom Barbas bring a two-wheeler with a drum  
22 on it and dump the contents into a hole?

23 A No. He is a liar.

24 Q Mr. Panneton is also a liar?

25 A He said something I didn't say. He made my

1  
2 head ache. He ruined me.

3 Another headache today I am getting.

4 MR. CHEESEMAN: Can I ask a question?

5 MR. SCHLICHTMANN: Go ahead.

6 THE INTERPRETER: Next time I won't  
7 come. I will have the police come and get me.

8 MR. CHEESEMAN: May I ask a question,  
9 Mr. Meola? When Mr. Panneton talked with you  
10 did he ask you questions in English?

11 THE INTERPRETER: Yes. I couldn't  
12 understand him and he couldn't understand me.  
13 He wrote down whatever he pleased. The same is  
14 the way we speak today. Do you see me speak  
15 well?

16 MR. SCHLICHTMANN: He speaks very  
17 well.

18 Q Do you ever remember there was a hole on the  
19 property which was covered over with plywood?

20 A Yes. They put some wood boards over it.

21 Q What did they put the wood boards over?

22 A Over that ditch over there.

23 Q What period of time was that ditch on the  
24 property?

25 A I can't remember.

1  
2 Q Was it there throughout the time you were there  
3 at the plant?

4 A I don't know. I don't know because they had  
5 given us a piece of land to have as a garden,  
6 you know, for vegetables, to go out and plant.  
7 There were children and they -- and so they put  
8 so the children do not fall in. That is how  
9 they covered it, why they covered it.

10 Q Do you know when that was?

11 A I don't know. It was 10 years, 20 years.

12 Q Where was this hole located?

13 A It was far away from the building.

14 Q Far away from the building?

15 A Yes.

16 Q How many feet?

17 A I don't know.

18 Q As best you can tell me.

19 A I don't know.

20 Q Was it there before they built the warehouse?

21 A I don't know.

22 Q Was it far away from the warehouse, too?

23 A Yes.

24 Q It was not next to the warehouse?

25 A No.

1  
2 Q Was it out in the back of the property?

3 THE WITNESS: Far away.

4 A It was far away.

5 Q Was it near the gardens you're talking about?

6 A Yes.

7 Q How many feet near the gardens?

8 A 50 feet.

9 Q The hole was there for as long as you were  
10 allowed to garden?

11 A I saw it but didn't know what it was for,  
12 whether it was for the water or what.

13 Q Was the hole there throughout the time they did  
14 their gardening?

15 A I can't remember precisely. I can't remember  
16 because it wasn't an important thing. It was  
17 not very interesting. If something is  
18 interesting, you say that is interesting. I  
19 think about it but if it is not important, you  
20 don't --

21 MS. RUSSO: Or something that  
22 concerns him.

23 Q Mr. Meola, you said this hole near the garden  
24 was covered over with plywood; is that correct?

25 A Yes. It was danger because there were also

children there and they could fall in.

Q Approximately how much plywood covered the hole?

A It wasn't plywood. There were these old boxes which machines had come in from Japan and that kind of --

Q How did these boxes cover over the hole?

A They throw them there, flatten them there.

Q They would flatten the boxes there and put them over the hole?

A Yes.

Q Now, was the hole circular or was it like a trench, long?

MR. CHEESEMAN: I object to the form of the question. It is a double question, Jan.

Q Was it circular?

A No.

Q How would you describe this hole?

A You said it 50 times. I can't remember everything.

THE WITNESS: How many big, how --

THE INTERPRETER: I can't remember how big --

THE WITNESS: -- many deep.

THE INTERPRETER: -- how deep.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
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14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Q Was it as big as this table we're sitting at?

A No.

Q Was it bigger than the table?

A No. This table is too wide.

Q The table is too wide?

A Yes.

Q Was it as long as this table?

A Perhaps longer.

Q About how much longer, a couple of feet?

A I can't remember. I didn't go there with a measuring stick to measure.

Q Was it a few feet?

MR. CHEESEMAN: I object. I don't know what a few feet means.

A I forget.

Q If two of these tables were together, Mr. Meola, would that be too big or would that be about right?

A I could be saying something silly. It may be annoying if I said this way or that way. I can't remember it. I saw it from a distance. I can't remember.

Q How many boxes did it take to cover the hole?

MS. RUSSO: Another thing he said is:

1  
2 "I could be saying what he wants me to say just  
3 because I am fed up with it, with the questions  
4 here."

5 MR. CHEESEMAN: Let's have it from  
6 the translator.

7 THE INTERPRETER: I understood the  
8 fact he said -- I understood he said he could be  
9 saying anything just to say something, and that  
10 that might --

11 MR. CHEESEMAN: I would suggest we  
12 take a five- or ten-minute break to cool off and  
13 get relaxed.

14 MR. SCHLICHTMANN: Please have  
15 Mr. Meola understand his testimony is extremely  
16 important and we know it is an inconvenience  
17 and difficult. We understand these things  
18 happened a long time ago but it is very, very  
19 important information he has and we are legally  
20 entitled to have it. We will do it at the least  
21 inconvenience. It is important he help us out  
22 and tell us what he knows.

23 (Recess)

24 Q Mr. Meola, let me ask you this: Can I describe  
25 this thing you covered over as a pit?

1  
2 MR. CHEESEMAN: Note my objection  
3 because in the translation context using the  
4 word "pit" by itself, we don't know what the  
5 context is. I understood it was a hole.

6 MR. SCHLICHTMANN: We will use the  
7 word "hole."

8 Q Now, was this hole there when you first started  
9 to work with W. R. Grace?

10 A I don't know.

11 Q Could it have been within a few years of working  
12 for W. R. Grace in Woburn, of starting to work  
13 for the Woburn plant?

14 A I don't know if it was there because even that  
15 piece of -- There were lots of machines and even  
16 that piece of garden they gave us, you know,  
17 they made with bulldozer. They may have dug  
18 there with one of those machines, dug a trench.  
19 Maybe they did it because there were rabbits  
20 and pheasants out there; I don't know. They may  
21 have put traps there; I don't know.

22 Q In other words, you believe, Mr. Meola, the hole  
23 you have talked about was done by a machine?

24 A Were they going to dig with a --

25 MR. CHEESEMAN: Shovel.



THE INTERPRETER: -- shovel?

Q Did you see them dig the hole with a machine?

A There were machines digging over there.

Q Were there many holes dug by the machines at various times?

A No; when they were making the extension, the new building.

Q So you remember seeing the machines come in there to build the extensions to the building?

A Yes.

At lunchtime one went out to -- one could not stay out there always, but one can look out there at lunch.

Q You also remember seeing machines out there in the area where the gardens were; is that right?

A Not there.

Q Did I understand you correctly, Mr. Meola, you said you thought the machines might have dug the gardens as well?

A No. They made the -- Vin Forte got authorization because there had been trees there. They make smooth so we could plant vegetables.

Q How many years after you started to work for the plant did you get permission to have the gardens

back there?

A I can't remember how many years.

Q Was it before they started to build any of the additions of extensions?

A I can't remember.

Q Was it after they built the first extension to the building?

A I can't remember precisely.

Q How long do you remember the gardens being out there?

A It was there after the -- after it had been built.

Q After what had been built?

A It wasn't there before when the Cryovac took over. I don't know.

Q Wait a minute.

A I don't know what year that was.

Q Is he talking about the extension to the building now?

A Talking about the garden.

MR. CHEESEMAN: Off the record.

(Discussion off the record)

Q In other words, the gardens were put there by W. R. Grace; they weren't there before Grace

1  
2 bought the plant?

3 A No, no. It was wooded area.

4 Q As best you can, do you remember that the area  
5 was cleared prior to their building any  
6 extensions to the building?

7 A I don't know.

8 Q Was the hole there that he had talked about for  
9 as long as the gardens were there?

10 A I can't remember the precise date because I left  
11 the garden; I didn't want to do it anymore.

12 Q In other words, Mr. Meola, you did the work on  
13 the gardens?

14 A Yeah.

15 There were about 20 of us. It was  
16 not me alone.

17 Q How many years did you tend to the garden?

18 A Three or four, four or five.

19 Q Do you remember the hole was there throughout the  
20 time you were tending to the garden?

21 A I can't remember whether it was there or not.

22 Q How much of the period when he was tending the  
23 garden was there a hole?

24 A When one is not interested, it is not possible  
25 to remember a date.

1  
2 Q But you remember they covered this hole over so  
3 the children wouldn't fall in the hole; is that  
4 right?

5 A Yes.

6 Q Well, was the hole covered for as long as the  
7 hole was there?

8 A I didn't always go out there. I rarely went out  
9 there.

10 Q I understand.

11 Was it your understanding the hole  
12 was covered for as long as the hole was there?

13 A I saw it once. I practically never went out to  
14 the woods.

15 Q Did you help to cover the hole?

16 A Me? No.

17 Q Do you know who helped cover the hole?

18 A I don't know.

19 Q Did Ed Orazine cover the hole?

20 A I don't know.

21 Q Did Vin Forte order the hole be covered?

22 A I don't know.

23 Q Someone covered over the hole?

24 MR. CHEESEMAN: You're talking about  
25 the plywood now?

MR. SCHLICHTMANN: Yes.

A I don't know.

Q Now, Mr. Meola, you went over to that hole on occasion and lifted up the plywood and emptied some stuff into the hole, didn't you?

A Me? No.

Q Didn't you tell that to Mr. Panneton?

A No.

The couple of times I threw away stuff I threw it into the drums.

Q Did you ever throw anything into that hole?

A Never.

Q Didn't you tell Mr. Panneton on occasion you lifted up that plywood and would empty stuff into the hole?

A No.

Q You didn't say that?

A No.

MR. CHEESEMAM: Can we have a copy of his statement to Mr. Panneton marked for the record?

MR. SCHLICHTMANN: There is no statement.

Q Mr. Meola, you do know that hole was dug by a

1  
2 machine; is that right?

3 A Of course with a machine. They couldn't do it by  
4 hand.

5 Q Why do you say that?

6 A This is what I think.

7 Q Was the hole too big to be dug by hand?

8 A Yes. Who was going to do that? You think  
9 slaves like in the old days?

10 Q That indicates the hole was big?

11 MR. CHEESEMAN: I object. Was that  
12 a question?

13 A It was a big hole.

14 Q It was a big hole?

15 MR. CHEESEMAN: Would you wait a  
16 minute? I also object because the word "big"  
17 is not precise enough to do any good.

18 MR. SCHLICHTMANN: At least we know  
19 slaves didn't do it; that was his answer.

20 MR. CHEESEMAN: I think Mr. Meola  
21 has been speculating on this issue.

22 Q Was the hole ever covered up, ever filled in?

23 A I don't know. After I left I don't know what  
24 happened.

25 Q So you --

1  
2 A You should ask the other people there now, not me  
3 because I don't know.

4 Q You don't know if the hole was there because you  
5 left; is that right?

6 A Of course.

7 Q So the hole was there up until the time you left?

8 A I don't know.

9 Q Was it ever filled in while you were there?

10 A I don't know because I never went out there. It  
11 was a wooded area.

12 Q The hole was in a wooded area?

13 A Yes; wooded.

14 Q There were trees around the hole?

15 A There are trees there.

16 Q Now, do you know if any drums were ever put in  
17 that hole?

18 A I didn't see anything.

19 Q Do you know if any drums were poured into the  
20 hole?

21 A How could they go there? It was wooded.

22 Q What was the hole used for?

23 A I don't know.

24 Q Did you ever hear from anyone as to what they did  
25 with that hole other than -- in other words, what

1  
2 it was used for?

3 A I don't know.

4 Q Did you ever use a vacuum cleaner to clean the  
5 area of the paint shop?

6 A Yes.

7 Q You used to use the vacuum?

8 A Yes.

9 Q Would that pick up paint sludge?

10 A No.

11 Q Did that vacuum cleaner ever pick up any liquid  
12 wastes at all?

13 A Yes.

14 Q What kind of liquid wastes?

15 A It was water.

16 Q Where would the water come from?

17 A When you paint you use spray and the spray pulls  
18 in -- It is water.

19 Q This water used in the paint operation, you would  
20 clean this up with the vacuum cleaner?

21 A Yes.

22 Q This was not clear water; it would have stuff in  
23 it?

24 A A little, yes.

25 Q It had stuff in it?



1  
2 A Yes.

3 Then this was put in the drums that  
4 were outside.

5 Q You would put this outside, put this in the drums  
6 outside behind the plant?

7 A A couple of times I did this and then put in a  
8 new paint.

9 MS. RUSSO: Painter.

10 Q A new paint or a new paint machine?

11 A Because Tom Barbas was in the service and they  
12 temporarily put me over there.

13 Q In the paint shop?

14 A A couple of times I used the vacuum and then I  
15 put in the drum. I never threw anything out.

16 Q Did you not dump the contents of the vacuum  
17 cleaner out on the ground behind the plant?

18 A No.

19 Q Never?

20 A No.

21 Q Didn't you tell Mr. Panneton that you emptied  
22 the contents of the vacuum cleaner out in the  
23 back of the plant?

24 A Yes; in the drums. I always said in the drums.  
25 He understood one thing for another.

1  
2 Q Mr. Meola, didn't the sheet metal department have  
3 a drain on the floor that you were aware of?

4 A I don't know because I never worked there. I  
5 don't know.

6 Q Didn't you tell Mr. Panneton the sheet metal  
7 department had a drain in the floor in which  
8 liquid wastes would run down the drain?

9 A I don't know if the stuff would --

10 THE WITNESS: I no work. I don't  
11 know if --

12 THE INTERPRETER: I didn't work in  
13 the sheet metal.

14 MR. CHEESEMAN: Remind him to wait  
15 for the translation.

16 (Pause)

17 Q Did you ever see or ever note there was a drain  
18 in the sheet metal department in which liquid  
19 wastes would be poured down?

20 A I don't know. There were holes but whether they  
21 threw stuff into them or not, I don't know. I  
22 never saw.

23 Q Where were these holes?

24 A They were on the floor.

25 Q Did he ever pour anything down these holes?

1  
2 A No, no.

3 Q Did you?

4 A No, no.

5 Q Do you know whether employees at any time used  
6 to change their oil from their cars and dump it  
7 on the ground out back?

8 A They said it but oil was never found on the  
9 ground there. Maybe they changed it and put it  
10 in the drums.

11 Q What ever happened to these drums you emptied  
12 all this stuff into?

13 A I don't know who took them.

14 Q Or where they put them?

15 A Someone came to get them.

16 Q Mr. Barbas has testified that he would empty  
17 paint sludge from the paint department out on  
18 the ground in back of the plant for the 20 years  
19 from 1960 to 1979. Are you aware Mr. Barbas  
20 ever did such a thing?

21 MR. CHEESEMAN: I object to the  
22 characterization of Mr. Harbas's testimony.

23 A I don't know.

24 Q Mr. Barbas testified you would help him on  
25 occasion pour the paint sludge on the ground in

back of the plant.

A I never helped Mr. Barbas.

Q You never helped Mr. Barbas at any time empty waste disposal on the ground?

A No.

Q You never helped any other employees at any time empty waste materials on the ground?

A Because I was not the rubbish guy. The rubbish guy help him.

Q Who was the rubbish man?

A He died.

Q What did he die from?

A I don't know. He died suddenly.

Q Was that recently?

A I found out from the investigator.

Q Mr. Panneton?

A Yes; Panneton, Panneton.

Q Did this rubbish man help Mr. Barbas empty waste materials on the ground?

A I don't know because that wasn't my work. I didn't work with Tom Barbas. I did a different work.

Q At no time did you ever help Mr. Barbas empty any of the waste materials from the paint

department?

A No, no.

Q Mr. Barbas testified that he would dump waste solvents on the ground behind the plant.

A Good for him.

Q Do you have any information that Mr. Barbas did such a thing?

A I don't know that because I didn't see him.

Q Mr. Barbas testified that you would dump waste solvents on the ground to the rear of the plant on occasion; is that true?

A I worked a couple of -- He is a liar.

Q Mr. Barbas testified that there was a pit at one time in which Mr. Barbas and others poured drums of waste materials into the pit. Do you happen to know if that ever happened?

A I don't know. I didn't see him.

Q Mr. Maola, did you at any time while you worked for W. R. Grace, did you at any time help or assist anybody in pouring drums into any pits or holes or trenches on the property?

A No.

Q Do you have any information at all that at any time anyone associated with the W. R. Grace

Company in Woburn ever assisted or helped pour drums containing liquid waste into any pit, trenches or holes on the property?

A I don't know. I didn't see anybody.

Q Now, Mr. Meola, have you had any conversations with Mr. Forte at any time about where you used to pour liquid wastes or materials on the plant?

A No. I never spoke with Vin Forte.

Q Did you not have a conversation with Mr. Forte at one of the Christmas parties of the W. R. Grace plant and tell him where you used to dump waste materials?

A I never go to the Christmas party.

Q You were never at a Christmas party?

A I go one time and --

THE WITNESS: I go one time and I am drunk. I no talk.

THE INTERPRETER: When I go there I start drinking and who talks?

Q So you remember going to some Christmas party?

MR. CHEESEMAN: I think he said one.

A I always had invitation. Vin Forte never goes.

Q You never remember being at a Christmas party where Vin Forte attended?

1  
2 A Once I saw him.

3 Q Do you remember having a conversation with  
4 Mr. Forte at the Christmas party?

5 A No, no, no.

6 Q Do you remember going outside during the  
7 Christmas party with Mr. Forte?

8 A No.

9 Q Have you ever been back to the plant since you  
10 left?

11 MR. CHEESEMAM: You mean since he  
12 retired?

13 MR. SCHLICHTMANN: Right.

14 A Once I went.

15 Q When did you go back?

16 A Forte was not even there. Now everything is new.  
17 I hardly recognize it.

18 Q When did you go?

19 A A couple of years.

20 Q A couple of years ago?

21 A Two or three years.

22 He is in North Carolina. I don't  
23 know where he is.

24 Q I want to know if you ever went back to the  
25 plant after retiring in 1978 or 1979.

1  
2 A Why should I have gone back to the plant? There  
3 was no need.

4 Q I am not asking him why he would have or would  
5 not have. I want to know if he ever went back  
6 to the plant after he retired in 1978 or 1979.

7 A I don't remember if I was there once. I can't  
8 remember precisely.

9 Q Why did you go back?

10 A Just for a ride. I went for a ride in the car.

11 Q With who?

12 A With who?

13 Q Yes.

14 A By myself.

15 Q To visit who?

16 A Nobody.

17 Q Who did you talk to at the plant?

18 A I spoke with some people at the office. It was  
19 all new people. I said hello.

20 Q Was he asked to come to the plant?

21 A No, no.

22 Q Did you speak to Mr. Forte when you went to  
23 visit the plant?

24 A No. Mr. Forte was not there.

25 Q Were you interviewed by anyone at the plant?



1  
2 A No, no.

3 Q Did anyone ask you any questions at the plant  
4 about what you knew about any dumping activities  
5 at the plant?

6 A No.

7 Q Has anyone ever contacted you other than  
8 Mr. Panneton to find out what you knew about any  
9 waste disposal activities at the plant?

10 A No, no.

11 Q No one ever came to visit you to ask you what  
12 you might have known about any waste disposal  
13 activities at the plant other than  
14 Mr. Panneton?

15 A I think once with Mike Stome (phonetically).

16 Q Stoler?

17 MS. RUSSO: He has a beard.

18 Q Mark Stoler?

19 A Mark Stoler.

20 Q How many times did Mark Stoler contact you?

21 A I wasn't here because I was in Italy. I was in  
22 Italy for six months.

23 THE WITNESS: I come two weeks ago  
24 over here. I come back over here.

25 THE INTERPRETER: I came back two

months ago. My wife was sick.

THE WITNESS: Two weeks.

THE INTERPRETER: My wife was sick  
and I came back here.

Q But after you retired from the plant in 1978 or  
1979 and up until today, has Mr. Stoler contacted  
you and talked to you about what you might have  
known about any waste disposal activities at the  
plant?

A It is the same questions.

Q I understand.

Did he contact you?

A Once or --

Q When did Mr. Stoler contact you?

A I can't remember.

Q Was it last spring?

A Five or six months ago.

Q Other than the time he came -- he contacted you  
five or six months ago, did he ever contact you  
before then?

A I never saw him again because I wasn't here.

Q Did anyone identifying himself as working on  
behalf of W. R. Grace or a law firm on behalf  
of W. R. Grace ever contact you after you

retired in 1978 or 1979, Mr. Meola, other than the one time Mr. Stoler contacted you five or six months ago?

A I never saw anyone.

Q No one ever contacted you?

A No.

Q What happened when Mr. Stoler contacted you?

A The same questions. What do I know and what I don't know. I don't know anything.

Q What did you tell Mr. Stoler?

A What did I say? I said what I said here, the same thing.

Q Other than Mr. Stoler five or six months ago, did anyone else contact you other than Mr. Panneton up until today?

A Panneton.

Q Other than Mr. Panneton, the investigator.

A No, no.

Q Did any other attorney or any other person on behalf of W. R. Grace or a law firm representing W. R. Grace contact you after Mr. Stoler contacted you up until today?

A No, no.

Q Mr. Meola, weren't you contacted by a woman

attorney, Amy Woodward?

A I don't know who she is.

Q Weren't you contacted --

MS. RUSSO: He does not know names;  
he knows faces.

Q Weren't you contacted more than once last spring  
by people associated with W. R. Grace or a law  
firm associated with W. R. Grace?

A Last spring I was in Italy.

Q Before you went to Italy.

A I went to Italy in June.

Q I am not asking you when you went to Italy.

Before you went to Italy weren't you  
contacted on more than one occasion by attorneys  
on behalf of W. R. Grace or people associated  
with W. R. Grace?

A I don't even know the name.

Q I am not asking for the name. I am asking if  
you were contacted more than once prior to your  
leaving for Italy on behalf of W. R. Grace,  
people for W. R. Grace?

A What does that matter?

Q It is for me to determine what matters,  
Mr. Meola, and others. I am asking if it

happened.

A As I am speaking with this attorney who is here,  
so I also spoke with the other attorney.

Q I want to know how many times you were contacted  
by people on behalf of W. R. Grace?

A Once, Mike Stome.

Q Are you saying, Mr. Meola, you were not contacted  
by anyone else other than Mark Stoler, and you  
were contacted on one occasion on behalf of  
W. R. Grace?

A I don't know if there was people from Cryovac  
or from other companies; I don't know.

Q Who are you referring to?

MS. RUSSO: He said there was --

A The woman.

MS. RUSSO: The woman that came with  
Mike Stoler.

Q Do you know the woman's name?

A I don't know.

Q Was the woman an attorney?

A I don't know.

Q Other than that one time that you were contacted  
by Mark Stoler and this woman, was there any  
other person or any other time you were

1  
2 contacted by any other person on behalf of  
3 W. R. Grace?

4 A I haven't seen anyone.

5 Q Weren't you contacted, Mr. Meola, prior to your  
6 leaving for Italy by people for W. R. Grace  
7 several times?

8 A It is possible. Even if they call me, I don't  
9 know how to talk on the telephone; No one  
10 called me.

11 Q Did they meet with you?

12 A Once.

13 Q Since you got back from Italy, Mr. Meola, have  
14 you been contacted by any law firm on behalf of  
15 W. R. Grace?

16 A Only once.

17 Q When?

18 A Just recently after I got back from Italy; that  
19 is all.

20 Q Did you not call W. R. Grace after Mr. Panneton  
21 talked to you?

22 A No.

23 Q Did a Mr. James Brown talk to you after  
24 Mr. Panneton talked to you?

25 A Who is he?

1  
2 Q An attorney for W. R. Grace.

3 A I don't know. I didn't see him.

4 Q Didn't an attorney for W. R. Grace talk to you  
5 after Mr. Panneton talked to you about arranging  
6 for your deposition today?

7 A No.

8 Q Did an attorney for W. R. Grace arrange for  
9 today's deposition with some member of your  
10 family?

11 A I have a letter that says I should come before  
12 the hurricane. They suspend it because of the  
13 hurricane. Then that Mike Stoler called to say  
14 they had moved it by two weeks.

15 MR. CHEESEMAN: Let the record show  
16 he is pronouncing the name as Mike Stome and  
17 not as Mark Stoler.

18 Q Is it Mark Stoler or Mike Stome?

19 A I don't know.

20 MS. RUSSO: It is Mark Stoler.

21 Q Did Mr. Stoler arrange for your deposition  
22 today?

23 A I don't know.

24 Q Is he aware someone on behalf of W. R. Grace  
25 arranged for his deposition today?

1  
2 A Yes.

3 Q You are aware of that?

4 A Yes. I know that because on the 16th we had to  
5 come here.

6 Q Did you understand that there were attorneys on  
7 behalf of W. R. Grace who arranged for your  
8 deposition today?

9 A I understand.

10 Q Did you talk to attorneys for W. R. Grace prior  
11 to your testifying here today?

12 A I didn't speak with anyone because I don't have  
13 a telephone -- Yes, I have a telephone but I  
14 never answer the telephone.

15 Q Did you speak by phone or did you meet with any  
16 attorneys for W. R. Grace prior to your  
17 testifying today about the facts you were  
18 testifying about?

19 MS. RUSSO: I am involved in this  
20 because he didn't know -- I told him it was  
21 postponed. I did speak with you on the phone,  
22 if you do remember, and he said, "Is he going  
23 back to Italy?" I said he was not. You said  
24 there was no rush. You said, "I thought he was  
25 going back to Italy so I wanted to have it as



1  
2 soon as possible."

3 MR. SCHWARTZ: When you say "you"  
4 you are referring to Mr. Schlichtmann?

5 MS. RUSSO: You called and I spoke to  
6 you on the phone. I don't know if you called on  
7 my number or his number.

8 Q I am asking, Mr. Meola, did you meet with any  
9 attorneys with W. R. Grace prior to your  
10 attending this deposition today?

11 MS. RUSSO: He didn't. I did.

12 MR. CHEESEMAN: Tell him the question  
13 includes this morning in our office.

14 A From the date we received the letter until this  
15 morning, we never spoke with anyone but this  
16 morning when we spoke with someone.

17 Q Who did you speak with?

18 A I didn't speak. She spoke (Indication).

19 Q Did you go to the attorney's office for W. R.  
20 Grace this morning prior to coming here?

21 A Yes.

22 Q Mr. Meola, is it true that throughout the period  
23 of time you worked for W. R. Grace that part of  
24 your job responsibilities was to dispose of  
25 waste liquids and waste materials from the shops,

1  
2 right?

3 A Not always because my job was maintenance. When  
4 the machine shop wasn't busy they -- They didn't  
5 call me. They did their own work.

6 Q Is it true, Mr. Meola, throughout the period of  
7 time that you worked for the W. R. Grace  
8 Company that on many occasions you emptied the  
9 degreasing tank on the ground to the rear of the  
10 plant?

11 A Never, never. Always in the drum.

12 Q Mr. Meola, is it true that throughout the  
13 period of time you worked for the plant that on  
14 several occasions you dumped paint sludges on  
15 the ground to the rear of the plant?

16 A No, never.

17 Q Mr. Meola, is it true throughout the period of  
18 time you worked for the plant you poured waste  
19 solvents on the ground to the rear of the plant?

20 A No, no.

21 Q Mr. Meola, is it true that during the period of  
22 time you worked for the W. R. Grace plant you  
23 poured waste materials into the drainage ditch  
24 along the warehouse?

25 A No.

1  
2 Q Mr. Meola, is it true that during the period of  
3 time you worked for the W. R. Grace plant in  
4 Woburn that you emptied liquid wastes into  
5 drains in the floor of the building on several  
6 occasions?

7 A That is not true.

8 Q Mr. Meola, is it true that during the period of  
9 time you worked for the W. R. Grace plant in  
10 Woburn you emptied or poured drums containing  
11 material into pits or holes on the property on  
12 several occasions?

13 A No, no.

14 Q Mr. Meola, do you have any reason to believe  
15 there are any materials, waste materials,  
16 buried underneath part of the building?

17 A I don't know.

18 Q Mr. Meola, do you have any information or any  
19 reason to believe that there are places  
20 underneath the plant which have been built over  
21 where waste liquids or waste materials were  
22 poured?

23 A I don't know.

24 MR. SCHLICHTMANN: All done.

25 MR. CHEESEMAN: I have one question.

Cross Examination

Q (By Mr. Cheeseman) Do you remember that I was at  
your house once several months ago with  
Mr. Stoler?

A I see you this morning and I forget.

MR. SCHLICHTMANN: How could you  
forget a face like Mr. Cheeseman's?

THE WITNESS: If I see you I forget.

MS. RUSSO: As a matter of fact, he  
did.

THE INTERPRETER: You said, "Do you  
remember me," and I said no.

MR. CHEESEMAN: Thank you.

(Whereupon, the deposition  
was adjourned at 12:35.)

---

J U R A T

I, GIUSEPPE MEOLA, have read  
the foregoing transcript of  
testimony and the same  
contains a true and accurate  
recording of my answers given  
to the questions therein set  
forth.

Signed under the pains and  
penalties of perjury this  
\_\_\_\_\_ day of

\_\_\_\_\_  
1985.

\_\_\_\_\_  
GIUSEPPE MEOLA

C E R T I F I C A T E

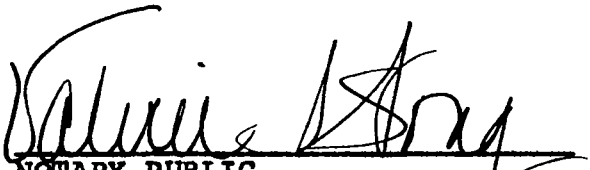
COMMONWEALTH OF MASSACHUSETTS )  
 ) ss.  
 COUNTY OF MIDDLESEX )

I, Valerie T. Wong, Notary Public within  
 and for the Commonwealth of Massachusetts, do hereby  
 certify:

That GIUSEPPE MEOLA, the witness whose  
 deposition is hereinbefore set forth, was duly sworn by  
 me and that such deposition is a true record of the  
 testimony given.

I further certify that I am not related  
 to any of the parties to this action by blood or  
 marriage, and that I am in no way interested in the out-  
 come of this matter.

IN WITNESS WHEREOF, I have hereunto set  
 my hand and affixed my seal of office this 20th day  
 of October, 1985.

  
 NOTARY PUBLIC

My Commission Expires:  
 November 5, 1987.